



Waitakere City Council
Te Taiao o Waitakere

NOTICE OF MEETING

TENDERS SUBCOMMITTEE

I hereby give notice that a meeting of the Tenders Subcommittee will be held on:-

DATE: Friday 19 September 2008 **TIME:** 9.00 am

MEETING
ROOM: Manukau Room

VENUE: Waitakere Central, 6 Henderson Valley Road, Henderson,
Waitakere

to consider the business as set out herein and to take any necessary action connected therewith.

11 September 2008

Carmen Fernandes
COMMITTEE SECRETARY

Telephone (09) 836 8000 extn 8887

MEMBERSHIP:

Councillors RI Clow (Chairman)
 JM Clews, QSO, JP (Deputy Chairman)
 WW Flaunty, QSM, JP

Chief Executive Officer
Director: City Services
Director: Corporate and Business Services
Director: Community Wellbeing
Director: Strategic Planning
Director: Public Affairs
Director: Finance

Mayor RA Harvey, QSO, JP (ex officio)
Deputy Mayor PA Hulse (ex officio)

(Quorum 3 members - one of whom must be a Councillor)

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(Meeting Room could be subject to change)

(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

**AGENDA FOR A MEETING OF THE TENDERS SUBCOMMITTEE TO BE HELD IN THE
MANUKAU ROOM AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD,
HENDERSON, WAITAKERE, ON FRIDAY, 19 SEPTEMBER 2008,
COMMENCING AT 9.00 AM**

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1 APOLOGIES



2 URGENT BUSINESS

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Committee by resolution so decides; and
- (ii) the Chairman has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Committee may make a decision on a matter determined to be urgent.

NOTE: Urgent Business need not be dealt with now and may be delayed until later in the meeting.



3 CONFLICTS OF INTEREST

The Council has acknowledged in its Code of Conduct that Elected Members need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the Council and any private or other external interest they might have. This note is provided as a reminder to members to check that no such conflicts arise in relation to any items on this agenda.



4 CONFIRMATION OF MINUTES

Meeting Minutes – Friday, 5 September 2008

RECOMMENDATION

It is recommended that the Tenders Subcommittee resolve to:

Receive the minutes of the meeting of the Tenders Subcommittee held on Friday, 5 September 2008, as circulated, and that they be taken as read and now be confirmed.



5 **CONTRACT NO. PK08009A – KEEP WAITAKERE BEAUTIFUL TRUST – APPROVAL TO RENEW**

GLOSSARY

Keep Waitakere Beautiful Trust (KWBT)
Memorandum of Understanding (MoU)

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Tenders Subcommittee to renew Contract No. PK08009A – Keep Waitakere Beautiful Trust.

The Council and Keep Waitakere Beautiful Trust (KWBT) have signed a Memorandum of Understanding (MoU) which provides for a partnership relationship. Council has many longstanding funding agreements with a range of organisations, each of which contributes to the delivery of a range of Council's strategic objectives.

The services provided to the community by KWBT are unique because the organisation relies on the voluntary participation of residents to carry out its annual work programme. This provides an added cost saving to Council through volunteer contributions. The KWBT carries out its annual work programme almost exclusively on public land including on parks and reserves, streams, beaches and road reserves, further benefiting the City.

Performance in the period 1 July 2007 – 31 December 2007, and 1 January 2008 – 30 June 2008 has been satisfactory and therefore renewal of the contract is recommended.

RECOMMENDATIONS

It is recommended that the Tenders Subcommittee resolve to:

1. **Receive** the Contract No. PK08009A – Keep Waitakere Beautiful Trust - Approval to Renew report.
2. **Approve** that, subject to a satisfactory credit check, Contract No. PK08009A - Keep Waitakere Beautiful Trust as awarded to Keep Waitakere Beautiful Trust be renewed for the period 1 October 2008 – 30 June 2009 for the amount of \$130,000 plus GST.
3. **Approve** that a retrospective variation to extend the 2007/2008 contract awarded to Keep Waitakere Beautiful Trust for the period 1 July 2008 to 30 September 2008, be awarded totalling \$95,000 plus GST.
4. **Approve** that authority to enter into Contract No. PK08009A - Keep Waitakere Beautiful Trust on behalf of Council be delegated to the Group Manager: Planning and Community.

BACKGROUND

1. KWBT has worked in partnership with Council since 1993 to create a beautiful functional environment through community action and pride.
2. In August 2002, KWBT moved outside of Council and was incorporated as a charitable trust. In September 2002, a MoU between KWBT and Council was signed. The purpose of the MoU is to provide the basis of an ongoing working relationship between KWBT and Council, and to manage the delivery of an annual programme of community based events and projects. The MoU also clarifies and strengthens the relationship and commitment between KWBT and Council.

3. Council approved a right of renewal in 2006 for a contract with KWBT, with a right of renewal for up to two years on a one (1) plus one (1) year.
4. On 15 December 2006, the Tenders Subcommittee passed the following resolutions relating to the contract with KWBT:
 - “2. *That subject to a satisfactory credit check, the tender from Keep Waitakere Beautiful for Contract No. PK06005A - Keep Waitakere Beautiful Trust Projects 2007 in the sum of \$106,380.00 plus \$13,279.00 GST covering the period 1 January 2007 to 30 June 2007 together with renewals for a further one plus one years, subject to performance, be accepted.*
 3. *That authority to enter into the Contract No. PK06005A - Keep Waitakere Beautiful Trust Projects 2007 on behalf of Council be delegated to the Group Manager: Planning and Community Services.*
 4. *That the renewals for Contract No. PK06005A - Keep Waitakere Beautiful Trust Projects 2007 be brought back to the Tenders Subcommittee for approval.*
 5. *That a retrospective variation to extend the 2005/2006 contract awarded to Keep Waitakere Beautiful Trust be approved for the period 1 July 2006 to 31 December 2006 totalling \$136,620.00 plus GST.*
 6. *That commitment of funds for the 2007/2008 and 2008/2009 financial years for Contract No. PK06005A - Keep Waitakere Beautiful Trust Projects 2007 in the sum of \$241,120.00 be approved.”*

2541/2006

DECISION MAKING

Preferred Supplier

5. KWBT has been chosen as the preferred supplier for this contract due to the MoU between Council and the KWBT.
6. The MoU states that as partners, KWBT and the Council shall agree on an annual work programme for KWBT that compliments the strategic direction of Council and maximises community involvement in the KWBT's activities.
7. Council has funded the KWBT's annual work programme through the Annual Plan since its inception in 1993. The budget is allocated through a service performance contract and all expenditure is supplied in accordance with the MoU, the agreed annual work programme and a service performance contract.
8. In addition to the MoU, KWBT warrant preferred supplier status as they offer a unique service and offer the following advantages:
 - Vast experience and known performance in service and project delivery with KWBT being recognised as leaders in their field;
 - Alignment with Council's strategic direction and community partnerships;
 - Many of the activities carried out by KWBT are delivered at considerably lower cost than if they were delivered by Council due to the number of volunteer hours leveraged by KWBT;
 - Familiarity with Waitakere's parks and community;

- Close working relationships with the wider Waitakere community and Council staff;
- KWBT provides added benefit to Council and the community through volunteer services and sponsorship from other companies. Other contractors are less likely to provide these added services.

CONTRACTORS PERFORMANCE

9. Performance in the period 1 July 2007 – 31 December 2007 and 1 January 2008 – 30 June 2008 has been satisfactory and all required Key Performance Indicators have been met and/or exceeded, therefore renewal of the contract is recommended.

CREDIT CHECK

10. A credit check on KWBT was requested and has been received. The results revealed no adverse information.

JOB COSTS

11. The value of this contract is \$225,000 less the retrospective variation requested for the first quarter of \$95,000 totalling \$130,000. The total value of \$225,000 is included in the 2008/2009 Annual Plan.
12. A retrospective variation on the 2007/2008 contracted award is requested to cover the first quarter of this 2008/2009 year period.
13. The contract is a Lump Sum contract. Payments including the retrospective variation will be based on the programmed works as outlined in table 1 below:

Payment	Date	Projects	Totals
Payment 1 July, Aug, Sept 2008	October 2008	Annual salary & overheads (\$66,350) Clean Stream Waitakere (\$16,150) KWBT Membership administration (\$7,500) Community Projects (\$5,000)	\$95,000
Payment 2 Oct, Nov, Dec 2008	October 2008	Operation Spring Clean (\$10,000) Education and Promotion (\$15,000) Schools Projects (\$17,000)	\$42,000
Payment 3. Jan, Feb, March 2009	January 2009	War on Weeds (\$35,000) EcoWise Awards (\$5,000)	\$40,000
Payment 4 April, May, June 2009	April 2009	Trees for Babies (\$12,000 op and \$21,000 cap) Neat Street (\$7,000 op & \$3,000 cap) Project Funds (\$5,000 op)	\$24,000 operational \$24,000 capital
TOTAL			\$225,000

Total salary and overheads	\$66,350.00
Total operational	\$134,650.00
Total capital	\$24,000.00
GRAND TOTAL	\$225,000.00

Table 1: Summary and Description of KWBT Payments

Allocated as follows:

- Retrospective variation \$95,000
- Contract renewal PK08009A \$130,000

SOURCE OF FUNDING

14. In the 2008/2009 Annual Plan, Council approved funding for KWBT as follows:

Cost Centre		
WCC 18 PLPK	Parks Planning	
	Planning Projects	
8PLPK-09-013	KWB Project Funds	\$182,000
8PLPK-09-012	KWB Trees for Babies (Capex)	\$21,000
8PLPK-09-014	KWB Trees for Babies (Opex)	\$12,000
8PLPK-09-016	KWB Neat Streets Planting	\$10,000
	TOTAL	\$225,000

Table 2: Annual Plan 2008/2009 KWBT Funding Summary

IMPLEMENTATION ISSUES

15. The programmed works are implemented by KWBT with assistance from Council officers for particular programmes which require approval of Community Boards for parks locations i.e. Trees for Babies.

Report prepared by: Estée Farrar, Community Assistance Co-ordinator.

